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District of Hawaii

SEALED
BY THE ORDER OF THE COURT

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
May 10, 2020
LIAN ABERNATHY, CLERK

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UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	MAG. NO. 20-00518 RT
)	
Plaintiff,)	CRIMINAL COMPLAINT; AGENT
)	AFFIDAVIT
vs.)	
)	
MICAH AUSTIN GOODALE,)	
)	
Defendant.)	
_____)	

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true
and correct to the best of my knowledge and belief:

Cyberstalking
(18 U.S.C. § 2261A(2))

On or about and between November 13, 2019 and May 9, 2020, both dates being approximate and inclusive, within the District of Hawaii and elsewhere, MICAH AUSTIN GOODALE, the defendant, with the intent to harass and cause substantial emotional distress to another person, specifically, AF1, did use facilities of interstate and foreign commerce, including a mobile phone, internet websites, and other forms of electronic communication, to engage in a course of conduct that caused substantial emotional distress to AF1, and placed AF1 in reasonable fear of death or serious bodily injury to herself and her immediate family member, and attempted to do so.

All in violation of Title 18, United States Code, Section 2261A(2).

I further state that I am a Special Agent with the Federal Bureau of Investigation (FBI), and that this Complaint is based upon the facts set forth in the

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following affidavit, which is attached hereto and incorporated into this Complaint by reference.


Jennifer Cardiff, Special Agent
Federal Bureau of Investigation

Sworn to under oath before me telephonically, and attestation acknowledged pursuant to Federal Rule of Criminal Procedure 4.1(b)(2), on this 10th day of May, 2020, at Honolulu, Hawaii.




Rom A. Trader
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	MAG. NO. 20-00518 RT
)	
Plaintiff,)	AGENT AFFIDAVIT
)	
vs.)	
)	
MICAH AUSTIN GOODALE,)	
)	
Defendant.)	
)	

AGENT AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

INTRODUCTION

1. This affidavit is submitted for the purpose of establishing probable cause that MICAH AUSTIN GOODALE (“GOODALE”), the defendant, within the District of Hawaii and elsewhere, committed the federal crime of cyberstalking an adult female victim (“AF1”), from on or about and between November 13, 2019, and May 9, 2020, in violation of 18 U.S.C. § 2261A(2).

2. As set forth in detail below, GOODALE’s criminal course of conduct includes online distribution of sexually explicit videos and pictures of AF1 that were created while the two were in a romantic relationship. Along with these videos and pictures, GOODALE has published AF1’s phone number, address, social security

card, driver's license, and family member names on public websites and social media, including pornography websites. In my training and experience, the distribution of sexually explicit materials using the internet has commonly become referred to as "revenge porn," wherein after a relationship ends, one person posts or distributes sexually explicit material of the other person, in an attempt to harass and embarrass him/her, and to cause the person substantial emotional distress.

3. In addition, as detailed below, GOODALE has directly sent AF1 text messages and emails threatening to harm her and her family. GOODALE also contacted AF1's current boyfriend and family members with harassing messages.

4. On approximately May 9, 2020, these threats to AF1 escalated substantially, with email statements including the following:

I know where you work – Where you live – What you drive – Who you date – Also what he drives [...] Just know that I am holding you and your life in my hands [...] I am cleaning my [list of firearms] as I send this brief message. I would love to find your family members in a position to "defend themselves." [...] I can appreciate killing the elderly as I have in the past and I crave to in the near future, and definitely your elders [...] we are all looking at you, you life, and how much you do not deserve a life. [...] Girl kill me if I snitch, because I am going to kill you if you snitch. Keep going to court. Make my day.

[...]

BOOM. Do you know how easy it is to place a brake switch bomb on a vehicle? [...] This is getting me off-keep messing with me, this is only a game to me, and I win every time. You stupid little bitch.

5. AF1 has obtained multiple protection orders in an attempt to stop GOODALE's harassment and stalking behavior, including one that is active in the State of Hawaii as of the date of this affidavit. Despite these protection orders, GOODALE continues to harass and stalk AF1, and sometimes uses cyber tools to mask his identity and location.

6. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been since March 2019. I am currently assigned to the Violent Crimes Task Force of the FBI Honolulu Field Office where my duties include, but are not limited to, investigating crimes of violence, including extreme cyberstalking and revenge pornography. I have participated in and received training regarding criminal investigations regarding cyberstalking and have consulted with other Agents who have been trained to investigate cyberstalking. As a result, I have experience investigating cyberstalking and related offenses. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510 (7) of Title 18 United States Code ("USC") and empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18, USC. Through my training and experience, I have become familiar with the manner in which criminal offenders operate, and the efforts of those involved in such activities.

7. I am familiar with the facts set forth in this affidavit based upon my personal knowledge and information provided to me by other law enforcement personnel and/or witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the criminal complaint charging GOODALE with violating federal law. Accordingly, this affidavit does not set forth all of the facts known to me or to law enforcement regarding this matter. Summaries of and statements from conversations do not include references to all topics covered in the communications. This affidavit is not intended to include each and every fact and matter observed or known to the government.

PROBABLE CAUSE

AF1 Reports Online Harassment and Past Relationship

8. In December 2019, AF1 contacted FBI Honolulu to report harassment by her ex-boyfriend, GOODALE. She related that she had been in a relationship with GOODALE in Arizona, where they used to live together. They started dating in approximately January 2017, and moved in together in approximately June 2017. According to AF1, soon thereafter, GOODALE started engaging in abusive behavior, including hiding AF1's belongings, keys, and birth control. On at least one occasion, GOODALE's abuse became physical, he hit AF1, and was then arrested for domestic battery. Soon after, AF1 and GOODALE ended their relationship, and AF1 obtained an Arizona Protection Order against GOODALE.

Months later they briefly resumed their relationship and the Protection Order was lifted.

9. According to AF1, in July 2018, AF1 and GOODALE permanently ended their relationship. AF1 obtained a second Arizona Protection Order against GOODALE in August 2018. Soon after, AF1 moved out of Arizona to get away from him. According to AF1, she continued to receive communications from GOODALE despite the Arizona Protection Order, and she received treatment for anxiety and depression that she attributed to her relationship to him. In approximately August 2019, AF1 moved to Hawaii.

November 2019 Harassment

10. According to AF1, on approximately November 13, 2019, she received an automated message that someone attempted to sign in to one of her social media accounts (“Account #1”). She then received an automated email that someone changed her password to Account #1 from an IP address located in Arizona.¹ Later that day, AF1 found that someone had posted a link on Account #1 that connected to a pornographic website (“Website #1”). Website #1 is a public website known to

¹ An IP address, or Internet Protocol address, is used each time a person uses the internet. Every computer or device on the internet is referenced by a unique IP address, the same way every telephone has a unique telephone number. An IP address is usually a series of number in a series, such as “192.168.10.102” and functions like a digital fingerprint. Law enforcement can use the IP address to determine the internet service provider, and then the account-holder.

allow free access to adult pornography. When AF1 clicked on the link—which was visible to her friends and family on Account #1—she found a dedicated page on Website #1 that contained sex videos and nude photos of her and GOODALE. The page also listed AF1’s full name, names of her family members, her phone number, and her address. AF1 had never given permission to GOODALE to disseminate these photos and videos.

11. Also on November 13, 2019, AF1 received threatening texts and phone calls from various phone numbers, which she believed were from GOODALE. Although AF1 would “block” one phone number, she would be contacted with new phone numbers that were not blocked. These messages included the following:

(602) xxx-xx38: Aloha super slut fuck you. Guess who’s moving to Hawaii? Police can’t do shit you stupid little bitch.

AF1: Bro. This ain’t *****² lol

AF1: I’m telling you. Cut the shit out. Don’t make me say it again

(602) xxx-xx38: I don’t care who this is. ***** is a super slut who has a lot more coming

(602) xxx-xx38: is this *****? (emoji)

AF1: No.

(602) xxx-xx38: I’ve already comprised her personal and account info you stupid bitch

² Throughout this affidavit, I use ***** to replace AF1’s name, or her family members’ names, or other information that would publicly identify her.

(602) xxx-xx38: I'm going to humiliate her and her entire life until she is brutally murdered

(602) xxx-xx38: 12/19/19

(602) xxx-xx38: Your never going to be safe

(602) xxx-xx38: I've been watching you and *****

(602) xxx-xx38: I know everything about you. You fucking whore your ducking and sucking everyone's dick in Hawaii you're a super slut.

(602) xxx-xx38: Nasty little bitch

(602) xxx-xx38: I know where you live

(602) xxx-xx38: [Link to Website #1]

(602) xxx-xx38: [Link to Website #1] Aloha Hawaii's super slut of eternity.

(602) xxx-xx38: (three laughing emoji's)

(602) xxx-xx38: ***** you are a lying whore. You can't even talk your using the people around you like always. Can't do anything for yourself because your so dependent upon mommy. Your such a joke. Did you ever have that baby ? The one you were telling my family about or was that just another lie too. Haha [...] You fat fucking loser [...]. Haha everyone line up I'm gonna show y'all how to play basketball today hahahaha. Nice one ***** This is what sluts gets.

12. Also on November 13, 2019, AF1 received a message from an email account with the name "Micahg93" (Target Email Account #1) with the following message:

Subject: ***** – have you seen our sex tape ?

Which one ? We filmed over 76 sex tape videos and I've gathered over 500 nude photos of us and of you. Do you want the links to our videos and pictures ? [Symbol] I'm sure your parents are going to love seeing their sweet only daughter sucking my fat fucking cock with cum drizzling down her mouth. Lol or maybe when my cumshot is leaking out of your nasty little ass ? Hahaha what is your grandma and grandpa gonna think lol you think you can silence me by lying to the courts and to the police officers. Those BS charges your tried getting me on for "violation of order of protection yeah I got all charges dismissed you lying trash whore. I assure you I will always be talking full joy in spreading around our videos and pictures with all and any, especially those close to you. I'm just now about to share this new world with your family and the people your fucking with.

13. On November 16, 2019, AF1 hired a Digital Forensics Corporation ("DFC") to investigate the messages she had received, and the posts online. The DFC preserved the online postings and content, and investigated their source using location data and digital evidence. DFC concluded, based on the information that AF1 provided to them, that GOODALE was the individual sending the emails, texts, pornography links, and calls.

14. On November 20, 2019, DFC sent a cease and desist letter to GOODALE at Target Email Account #1, to notify him that AF1's accounts were being monitored and law enforcement would be contacted. Target Email Account #1 replied with an email stating, "This is one of the worst threats I've ever received. Hahahaha shut the fuck up."

15. In the months that followed, DFC and law enforcement worked to remove the pornographic images and videos of AF1 from the internet. However, when one account would be removed from Website #1, a new account was created to re-post the same materials.

16. Meanwhile, AF1 received messages from various other email addresses, including accounts with the name “Micah” and/or “Goodale.” She found the sexually explicit videos and photos of herself on at least two other adult pornography websites (Website #2 and Website #3). In my training and experience, Website #2 and Website #3 are commonly used by individuals to publish “revenge porn” of prior partners, usually women, for the purpose of harassment and stalking.

17. During this timeframe, AF1 also started receiving messages and phone calls from random numbers, because her phone number had been posted on public websites alongside the sexually explicit images and videos. AF1 was emotionally distraught and humiliated that these videos and photos were so widely disseminated online, and she feared for her safety. Throughout the course of this experience, she changed her phone number and deleted or changed social media accounts several times.

18. In December 2019, AF1 sought a Protection Order against GOODALE in the State of Hawaii. This order was served on GOODALE on approximately

December 23, 2019, when Arizona police located him at his parent's residence ("the GOODALE Residence").

19. After the Protective Order was served on GOODALE in Arizona, AF1 stopped receiving messages directly to her phone, however the videos and images of her continued to be uploaded to pornography sites and social media. In February 2020, GOODALE filed to dismiss the Protective Order, which was denied. That order remains in effect as of the date of this affidavit.

February 2020 Harassment

20. On or about February 20, 2020, AF1 began receiving threatening and harassing communications on her account on a social media website (Platform #1). These included the following comments on posts she had authored, such as "You truly are a SLUT..." When AF1 made a comment about getting a restraining order, the user wrote:

Tell me how that would help. Usually criminals will not abide by any law. What makes you think a piece of paper could protect anyone? ***** you come off as extremely naïve and childish. In other words you are one dimensional.

21. On or about February 21, 2020, AF1 again received communications on Platform #1, including the following: "You goddamn cunt stop playing the victim role and grow the fuck up! [...] Your daily choices amuse me and I am happier than ever observing you. Keep it up champ, you are a true victim xoxoxo."

22. On or about February 22, 2020, AF1 received a communication on Platform #1 including the following:

The only person I've seen jacking off on the internet now is you (want some new links) god I'd love to punch you in the fucking face again you cunt. Nobody takes care of you. [...] YOU fucking whore this is war until either you or I am dead. Got it bitch?"

23. On or about March 14, 2020, AF1 received another communication on Platform #1 from a different user, including the following:

If you don't die before I get to you, I sure hope the virus claims you. I've got a special gift going to your grandmother soon. Puta.

24. AF1's grandmother lives in Arizona, the same state as the GOODALE Residence. Law enforcement has taken measures to protect AF1's family members, due to these sustained threats.

25. On approximately March 15, 2020, AF1's current boyfriend received communications on his own social media account on a different social media website (Platform #2), which contained links to pornographic videos and images of AF1. In addition, messages were publicly posted with a list of all of his social media account links, and the following: ***** YOU ARE A FUCKING COWARD YOU BROWN PILE OF SHIT. YOU CANT HOLLA BACK. You 5ft 8" brown turd LOL I am watching you as I type this." The account further posted and tagged AF1's boyfriend

stating: “Blood in Blood Out member speaking East Atlanta, Bouldercrest affiliated.” The messages also posted AF1’s social security card and Driver’s License, with the names of her family members and her address in Hawaii. AF1 believes these communications are all sent by GOODALE, and she and her current boyfriend have deleted their social media accounts as a result of the sustained harassment.

Digital Evidence Connecting GOODALE to the Harassment of AF1

26. Since the inception of this investigation, law enforcement has obtained information from Account #1, Website #1, Website #2, Website #3, Target Email Account #1, Platform #1, Platform #2, as well as specific phone numbers and email addresses used to threaten and harass AF1.

27. I have collected digital evidence showing that on November 13, 2019, the user who posted the pornographic links to AF1’s Account #1 was logged in from the GOODALE Residence in Arizona. This digital evidence includes two IP addresses for log-ins to Account #1 that day. One IP address resolves to GOODALE’s father’s internet account, and a second IP address resolves to GOODALE’s mother’s internet account. Both IP addresses connect to the GOODALE Residence, where GOODALE’s parents live together, and GOODALE is also believed to reside.

28. GOODALE's residency at the GOODALE Residence is shown by, among other things, the fact that he was located at the GOODALE Residence on December 23, 2019, and served with the Hawaii Protective Order there, as described in paragraph 18 above. In addition, GOODALE has a truck registered in his name in Arizona, with the GOODALE Residence listed as the registered address. My review of records indicate that this information was last updated in September 2019, and as of the date of this affidavit, this truck is still registered to GOODALE at the GOODALE Residence.

29. I have collected digital evidence for other IP addresses associated with the GOODALE Residence for time periods between November 3, 2019, and March 6, 2020. I compared these IP addresses to the IP addresses associated with posts made on Website #1 and Website #2. I determined that some of these IP addresses are identical. In other words, the posts on Website #1 and Website #2 relating to AF1 were made by someone who logged on to the internet at the GOODALE Residence.

30. I also obtained digital information for Target Email Account #1, including the IP addresses associated with log-ins at times relevant to this investigation. This information indicates that at least two of the IP addresses associated with log-ins for this email address connect directly to the GOODALE Residence.

31. I also obtained digital information for the communications posted on Platform #1. These results indicate that the person posting these messages used a Virtual Private Network (VPN) and proxy server when logging in online. In my training and experience, I know that these cyber tools are often used when a person wants to disguise the location where they are conducting online activities. These tools help “spin” the location where the person is located, by “pinging” on IP addresses all over the world. For example, between February 20th and 21st, when the communications were posted on Platform #1, the IP addresses resolve back to six countries, including Canada, Ukraine, Korea, Belgium, Bulgaria, and Costa Rica. One post that the user made within that timeframe resolved back to Virginia and Japan. In my training and experience, it would be physically impossible for one person to log in from all of these locations within the span of two days. Also notably, during the time these messages were sent to AF1, GOODALE knew that he was the subject of the State of Hawaii Protection Order, and knew that his attempts to get that order dismissed had failed. I believe there is evidence to support the conclusion that GOODALE used these tools to disguise his location because he knew he was prohibited from contacting AF1.

May 2020 Harassment and Threats

32. On approximately May 9, 2020, I received a report from AF1 that she received two emails from an account she did not recognize. The first email contained

a subject line with her first, middle, and last name, and the direction “READ”:

I know where you work- Where you live- What you drive- Who you date- Also what he drives- You have been doing alright. -I have been watching you- LOL :) However you need to know that I am not going back and forth. Tell your Boy toy who drives his go kart to delete all of his social media accounts forever, and never make another account again so long as he lives (Facebook, Instagram, Twitter, EVERYTHING) and I will cease the sale of your personal data/info/pictures/videos. If you do not comply, I will only expand my progression of sales and free distribution. I do not LOVE you. I DO NOT want to be with you, and I have never been in the mode to feel that way. Just know that I am holding you and your life in my hands, The next step I am taking is sending sensitive information to your employer within 72 hours following your non compliance to my request. I am cleaning my t-9, g22, g23, e2 xm15, tac 14, ak103, hk416, Bm .308, .300, as I send this brief message. I would love to find your family members in a position to "defend themselves". Your actions and choices have led you down a terrible path with myself that will only lead to one end. I await the day where you wake up and realize what I am saying. I can appreciate killing the elderly as I have in the past and I crave to in the near future, and definitely your elders. I know you have lied and said many wrong and deceitful claims upon me and my name, and you need to know that I am taking every step to rectify myself, and I will stop at nothing to neutralize any threats present now or in the future. You have repeatedly threatened myself and my wife,³ and I am going to take enormous pleasure in the continuous defamation of your name, life, and "quality of life", Until the opportunity presents itself for my rubber bands to get you. Revenge is a BITCH, however Karma is a gift, and you have both coming. Being apart of 23 others

³ At the time of this filing, I do not believe GOODALE is presently married, and I do not know who this is referencing. It is possible this was a typo that was intended to be “life.”

members on the same page, we are all looking at you, you life, and how much you do not deserve a life. This strong, we are going to strike immediately following your non compliance if you so foolishly choose to do so. Go get a thermometer for the pot I need this shit cooked right. Tell me how many I have in my pockets. I'd love to know I can hardly keep track myself. Girl kill me if I snitch, because I am going to kill you if you snitch. Keep going to court. Make my day.

In the second email sent to AF1 on approximately May 9, 2020, the subject was “Tick tick”:

BOOM. Do you know how easy it is to place a brake switch bomb on a vehicle? Let me tell you its as easy as eating your mothers cunt, and sucking her tits- As I have. And she wasn't nearly as pleasurable as I expected. Mercury switches are even easier and more available through packages directly to your usual place of abode. This is getting me off- keep messing with me, this is only a game to me, and I win every time. You stupid little bitch.

33. My investigation into the email address that sent these emails is ongoing. However, I believe the content and manner of the emails, the grammar in them, and the language used (in particular, the slurs and names used to reference AF1), are very similar to prior messages that I have directly connected to the GOODALE Residence. I believe there is probable cause to believe these messages were sent by GOODALE.

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CONCLUSION

Based on the foregoing, I submit that there is probable cause to arrest
MICAHA AUSTIN GOODALE for the violation of federal law set forth above.

Respectfully submitted,



Jennifer Cardiff

Special Agent

Federal Bureau of Investigation

Sworn to under oath before me telephonically, and attestation acknowledged pursuant to Federal Rule of Criminal Procedure 4.1(b)(2), this 10th day of May, 2020. Based upon the foregoing, the undersigned Judicial Officer finds that there is probable cause to believe that defendant above-named committed the crimes charged in the Criminal Complaint this 10th day of May, 2020.



Rom A. Trader

United States Magistrate Judge